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7 Attorneys for Defendant  
ADT Security Services, Inc.  
8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11

12 People of the State of California,  
13 Plaintiff,  
14 v.  
15 ADT Security Services, Inc.,  
16 Defendant.

Case No. C 08-02157 EMC

**NOTICE OF FILING OF SUMMONS  
AND SUPERIOR COURT NOTICE OF  
ASSIGNMENT IN CONNECTION  
WITH NOTICE OF REMOVAL  
PURSUANT TO 28 U.S.C. § 1446(a)**

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18 On April 25, 2008, Defendant ADT Security Services, Inc. ("ADT") filed its Notice  
19 of Removal in this action. ADT also filed with said Notice a copy of the Complaint  
20 underlying this action. Pursuant to 28 U.S.C. § 1446(a), ADT hereby files the  
21 corresponding Summons, attached as Exhibit A, and the Notice of Assignment to  
22 Department Six for Case Management Determination, attached as Exhibit B, that were  
23 served on it by Plaintiff.

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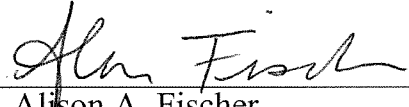
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1 Dated: April 29, 2008

2 ALEJANDRO N. MAYORKAS  
3 GRANT B. GELBERG  
4 ALISON A. FISCHER  
5 O'MELVENY & MYERS LLP

6 By:   
7 Alison A. Fischer  
8 Attorneys for Defendant  
9 ADT Security Services, Inc.  
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# SUMMONS (CITACION JUDICIAL)

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**  
ADT SECURITY SERVICES, INC.

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**  
People of the State of California

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**FILED**

2008 FEB 25 10:10

K. TORRE, CLERK OF THE SUPERIOR COURT  
COUNTY OF CONTRA COSTA, CALIF.

BY: S. KRICKEN, Deputy Clerk

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association.

**Tiene 30 DÍAS DE CALENDARIO** después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.courtinfo.ca.gov/selfhelp/espanol/](http://www.courtinfo.ca.gov/selfhelp/espanol/)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.courtinfo.ca.gov/selfhelp/espanol/](http://www.courtinfo.ca.gov/selfhelp/espanol/)) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

CONTRA COSTA COUNTY SUPERIOR COURT  
725 Court Street, P.O. Box 911  
Martinez, CA 94553

CASE NUMBER:  
(Número del caso) **08-00437**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

ROBERT J. KOCHLY, District Attorney, County of Contra Costa, Lauren R. Wixson, Deputy District Attorney SBN 117178, 627 Ferry Street, Martinez, CA 94553 (925) 646-4532

DATE:  
(Fecha)

**FEB 25 2008**

Clerk, by  
(Secretario)

**S. KRICKEN**

**CLERK OF THE SUPERIOR COURT**

Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

## NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):

- ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify):

- ☐ by personal delivery on (date):

☐ CCP 416.60 (minor)

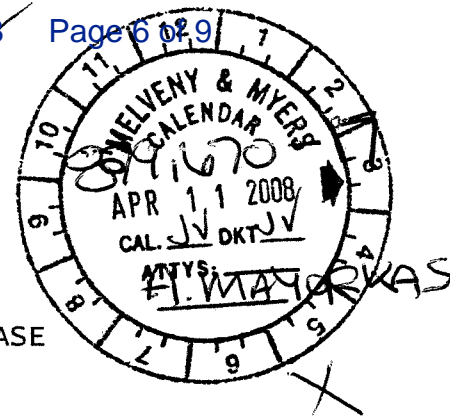
☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

**3**



SUPERIOR COURT - MARTINEZ  
 COUNTY OF CONTRA COSTA  
 MARTINEZ, CA 94553



PEOPLE OF THE STATE OF CA VS. ADT SECURITY SER  
 MSC08-00437

NOTICE OF ASSIGNMENT TO DEPARTMENT SIX FOR CASE  
 MANAGEMENT DETERMINATION

THIS FORM, A COPY OF THE NOTICE TO PLAINTIFFS, THE ADR INFORMATION SHEET, AND A BLANK CASE MANAGEMENT STATEMENT ARE TO BE SERVED UPON ALL OPPOSING PARTIES, ALL PARTIES SERVED WITH SUMMONS AND COMPLAINT/CROSS-COMPLAINT.

1. This matter has been assigned to Department 6, Judge D. Flinn presiding, for all purposes, Department 6 is designated as the complex litigation department of the Court and as such (a) hears all cases wherein a designation of complex case has been made and (b) conducts hearings, in cases that this court determines, on a preliminary basis may be complex, to determine whether the case should remain in the complex litigation program.

2. All counsel are required to appear in Dept. 6 on 05/06/08 at 8:30am.

NOTE: 4/29/08  
 HEARING VACATED;  
 RESET.

- (a) If the case has been designated as complex, and no counter-designation has been filed, the Court will hold its first case management conference at that time.
- (b) If the case has been assigned to Department 6 on a preliminary basis the Court will hold a hearing to determine if the matter is, or is not, complex. If the matter is determined to be complex, the Court will then proceed with the first case management conference.

3. Each party shall file and serve a Case Management Conference Statement five (5) days before this hearing and be prepared to participate effectively in the Conference, including being thoroughly familiar with the case and able to discuss the suitability of the case for private mediation, arbitration or the use of a special master or referee.

4. Prior to the conference counsel for plaintiff shall meet and confer with counsel for each other party in an effort to precisely define the the issues in the case, discuss the possibility of early mediation, the identities of possible other parties, and their respective plans for discovery.

5. Until the time of the conference the following INTERIM ORDERS shall be in effect:

- A. Plaintiff shall diligently proceed in locating and serving each and every defendant. It is the Court's intention that each party be served in sufficient time to have entered an appearance within the time allowed by law and to attend the first conference.
- B. All discovery shall be stayed excepting as all parties to the action might otherwise stipulate or the Court otherwise order.
- C. No party shall destroy any writing or other evidence in its possession or under its control which bears in any way upon the matters which are the subject of this litigation.

SERVED ON US BY MAIL

4 4/9/08

- D. Within the time for any party to file an answer or demurrer such party may alternatively file a notice of general appearance. In such event the time for filing of an answer or demurrer shall be extended to twenty (20) days following the first conference unless the Court shall, at that time, set a different schedule.
- E. Counsel for each party shall do a conflict check to determine whether such counsel might have a possible conflict of interest as to any present or contemplated future party.

BY ORDER OF THE COURT

**PROOF OF SERVICE BY U.S. MAIL**

I, Catherine Huddleson, declare:

I am employed in the County of Contra Costa, State of California; I am over the age of 18 years and am not a party to the within action or proceeding. I am employed by the District Attorney of Contra Costa County, located at 627 Ferry Street, Martinez, California 94553.

On APRIL 9, 2008, I served the within

**NOTICE OF ASSIGNMENT TO DEPARTMENT SIX FOR CASE MANAGEMENT DETERMINATION**

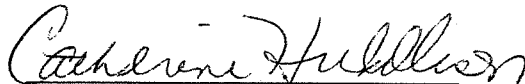
in Case No.: CIV MSC08-00437. on the interested parties in said action,

1. by placing a true and correct copy thereof in a sealed envelope with postage thereon fully prepaid, in the United States mail at Martinez, California as follows:

Alejandro N. Mayorkas, Esq.  
O'Melveny & Myers LLP  
400 South Hope Street  
Los Angeles, CA 90071-2899

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on APRIL 9, 2008, at Martinez, California.

  
Catherine Huddleson



**PROOF OF SERVICE**

I, Robin Hammond, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is 400 South Hope Street, Los Angeles, California 90071-2899. On April 29, 2008, I served the within documents:

NOTICE OF FILING OF SUMMONS AND SUPERIOR COURT  
NOTICE OF ASSIGNMENT IN CONNECTION WITH NOTICE  
OF REMOVAL PURSUANT TO 28 U.S.C. § 1446(A)

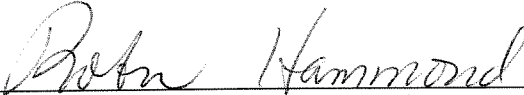


By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Lauren R. Wixson, Deputy District Attorney  
627 Ferry Street  
Martinez, CA 94553-0125  
Phone: (925) 646-4532  
Fax: (925) 646-4683

I declare under penalty of perjury under the laws of the United States that the above is true and correct.

Executed on April 29, 2008, at Los Angeles, California.

  
Robin Hammond